

Our Reference: 2024.21



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lowrey, et al

Serial Number: 09/620,318

Filing Date: July 22, 2000

Title: ELECTRICALLY PROGRAMMABLE MEMORY ELEMENT
HAVING SIDEWALL CONTACT AND METHOD FOR MAKING
SAME

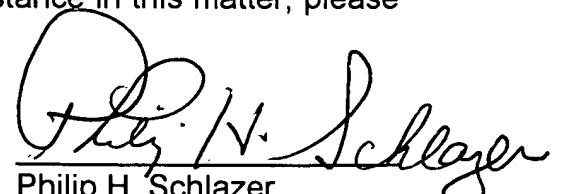
RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION (FILING DATE GRANTED)

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, this paper is to submit a copy of the signed Declaration and Power of Attorney, Assignment, Transmittal of Assignment, and Form PTO-1533.

Please charge our Deposit Account No. 05-1068 in the amount of \$170.00 which amount covers the surcharge for filing missing parts of application and the assignment recordation fee. If you need further assistance in this matter, please contact the undersigned.



Philip H. Schlazer
Reg. 42,127

Our Reference: 2024.21



Section 8
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lowrey, et al
Serial Number: 09/620,318
Filing Date: July 22, 2000
Title: ELECTRICALLY PROGRAMMABLE MEMORY ELEMENT HAVING
SIDEWALL CONTACT AND METHOD FOR MAKING SAME

CERTIFICATE OF MAILING

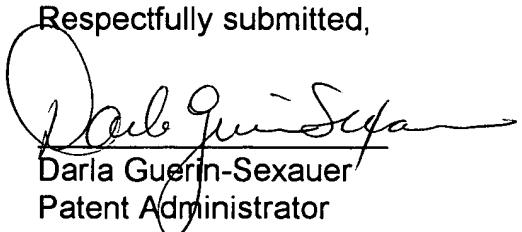
Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is Response to Notice to File Missing Parts, Transmittal of Assignment, Assignment, Declaration and Power of Attorney, and Form PTO1533 in the above-identified patent application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Hon. Commissioner of Patents, Washington, D.C. 20231, on November 29, 2000.

Respectfully submitted,


Darla Guerin-Sexauer
Patent Administrator

Energy Conversion Devices, Inc.
1675 West Maple Road
Troy, MI 48084
Phone: (248) 280-1900
Fax: (248) 288-4158



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/620,318	07/22/2000	Tyler Lowrey	2024.21

Philip H Schlazer
Energy Conversion Devices Inc
1675 West Maple Road
Troy, MI 48084

FORMALITIES LETTER



OC00000005489100

Date Mailed: 10/19/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The following item(s) appear to have been omitted from the application:

- Page(s) page 7 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date must be filed within TWO MONTHS of the date of this Notice.

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01 FC:105 130.00 CH 000000125 051168

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III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "J. [Signature]".

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY